

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

**CHAMBERS OF  
JAMES K. BREDAR  
U.S. MAGISTRATE JUDGE**

**101 WEST LOMBARD STREET  
BALTIMORE, MARYLAND 21201  
(410) 962-0950  
(410) 962-2985 FAX**

February 13, 2004

Elliot N. Lewis, Esquire  
Elliot N. Lewis, PA  
1 East Lexington Street, Suite 201  
Baltimore, Maryland 21202'

Timothy R. Freel, Esquire  
Freel & Freel, PC  
231 Newman Street  
East Tawas, Michigan 48730

Leonard A. Orman, Esquire  
Leonard A. Orman, PA  
26 South Street  
Baltimore, Maryland 21202

Lawrence E. Ballentine, Esquire  
1 W Pennsylvania Avenue, Ste 500  
Towson, Maryland 21204-5025

Subject: *Nancy J. Cline, Personal Representative of the Estate of Glen H. Cline, Jr., et al. v.  
John James Christy and Agape Harvester Church, Inc.*  
Civil Action No. JKB-03-529

Dear Counsel:

First, I note that consents have been filed for all parties, and I thank counsel for their prompt action. The schedule in this case is hereby modified as follows:

February 23, 2004 - 5:00 p.m. Deadline for submitting proposed pretrial order, proposed voir dire, proposed jury instructions, and proposed special verdict forms (Consult Local Rules -- these are to be JOINT SUBMISSIONS to the extent possible). **They are to be sent to chambers and not filed.**

February 25, 2004 - 1:30 p.m. **Pretrial conference/Daubert hearing in court (counsel only)  
-- obtain courtroom number from chambers earlier that day<sup>1</sup>**

March 1-5, 2004 Jury trial -- counsel should appear in court at 9:30 a.m.; call chambers the preceding Friday to learn the courtroom number.<sup>2</sup>

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<sup>1</sup>Mr. Freel may attend if he wishes, but his attendance is not required so long as local counsel attends in his stead.

<sup>2</sup>The trial day will be adjourned at 2:00 p.m. on Wednesday, March 3, 2004.

Letter to Counsel - *Cline v Agape Harvester Church, et al.*

Page 2

February 13, 2004

### **Voir Dire and Jury Instructions**

You should submit proposed joint voir dire questions, proposed joint jury instructions on issues specifically relating to this case, and proposed joint special verdict forms. Attached is a copy of my customary general non-case-specific jury instructions. You should submit separately any voir dire questions, jury instructions and special verdict forms upon which you cannot agree. All of your proposed voir dire questions, jury instructions and special verdict forms should be submitted in hard copy and on IBM compatible, Word Perfect 6.0/6.1 diskettes.

Your proposed joint voir dire should include a brief proposed statement to be read to the venire panel explaining the nature of the case in general terms.

Your proposed jury instructions should (a) be typed one per page, (b) be numbered and assembled in the order in which you request that they be read to the jury, and (c) include a citation of the authorities supporting the instruction.

### **Guaranteeing Witness Availability**

Absent emergency circumstances, a party will guarantee the presence at trial of any witness that party lists in the pretrial order, in accordance with Local Rule 106.2.i., as "expecting to present" at trial. Please note that the U.S. Marshal requires 18 days advance notice to present a witness in custody pursuant to a writ of habeas corpus ad testificandum.

### **Disclosure of Opinions of Expert Witnesses**

In addition to the information required by Local Rule 106.2.j, the pretrial order shall include for each party a concise summary of the opinion testimony expected from each witness identified by that party pursuant to Fed. R. Civ. P. 26(a)(2)(A) and (B) who may testify at trial. The parties shall identify those witnesses designated pursuant to Rule 26(a)(2)(A) separately from those designated pursuant to Rule 26(a)(2)(B).

### **Exhibits**

Please be prepared to advise me at the pretrial conference if there are any objections to the documents and exhibits listed in the pretrial order in accordance with Local Rule 106.2.g. Any objections not disclosed at that time, other than objections under Fed. R. Evid. 401 and 403, shall be deemed waived at trial, unless excused for good cause shown.

All exhibits must be tagged and numbered prior to trial in accordance with Local Rule 106.7(a). You must meet with one another prior to trial to review and make available for copying one another's exhibits in accordance with Local Rule 106.7(b).

Letter to Counsel - *Cline v Agape Harvester Church, et al.*

Page 3

February 13, 2004

### **Use of Courtroom Equipment**

Please be prepared to advise me at the conference if you would like to use at trial any courtroom equipment. The court has available for your use VCRs and monitors, x-ray boxes, and one electronic evidence presenter. The electronic evidence presenter may be reserved on a first come, first served basis in cases which are expected to last longer than one week and involve numerous documents.

### **Trial Instructions**

Please read carefully the attached memorandum entitled "Instructions To Counsel Re Trial Procedure And Conduct." You are responsible for knowing the contents of these instructions and all of the provisions of Local Rule 107 concerning trial conduct.

### **Settlement**

Unless the court is notified of any settlement no later than one full business day prior to the day on which the trial is scheduled to begin, jury costs will be imposed in accordance with Local Rule 107.4. Ordinarily, in civil cases 25-28 potential jurors are called as members of the venire panel and the cost per juror is approximately \$70.

Despite the informal nature of this ruling, it shall constitute an Order of Court, and the Clerk is directed to docket it accordingly.

Very truly yours,

/s/

James K. Bredar  
United States Magistrate Judge

JKB/cw

Attachments: as described

cc: Court File

Chambers File